

KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
September 9, 2008

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, September 9, 2008, at 5:30 p.m. in Conference Room #1 of the Kettering Government Center, 3600 Shroyer Road. The Mayor, Donald E. Patterson, presided.

Council Members Present: Duke, Klepacz, Lehner, Thompson and Wanamaker
Spolrich

Council Members Absent: None

Total Members Present: Seven (7)

Mayor Patterson opened the meeting and asked for a motion to adjourn to Executive Session pursuant to Section 121.22 of the Ohio Revised Code for the purposes of: Matters regarding negotiations with public employees; Conference with Law Director regarding imminent or pending litigation and matters regarding compensation of public employees. A motion was made by Mr. Spolrich and seconded by Mr. Duke. The motion was unanimously approved by a roll call vote.

At 6:29 p.m. Mr. Duke made a motion for City Council to come out of executive session and open into workshop session. Mrs. Lehner seconded this motion. The motion was unanimously approved.

The Council of the City of Kettering, Ohio, reconvened into regular session on Tuesday, September 9, 2008, at 7:30 p.m. in Council Chambers of the Kettering Government Center, 3600 Shroyer Road. The Mayor, Donald E. Patterson, presided and the Clerk of Council, Connie S. Gaw, recorded. This meeting was telecast live on the cable access channel.

Mayor Patterson led the audience in the Pledge of Allegiance and then gave the invocation. He introduced the cable TV operators, Bill Greger and John Golub. He welcomed pages, Amanda Turner and Katherine Ygbuhay from Fairmont High School. He thanked these volunteers for their assistance.

APPROVAL OF MINUTES

August 26, 2008 Regular and Workshop Meetings

Mr. Spolrich reported that he reviewed the above minutes and moved the minutes be approved. Mr. Thompson seconded the motion and there being seven (7) yea votes and no (0) nay votes, the motion was declared carried by a majority roll call vote.

PROCLAMATIONS, SPECIAL PRESENTATIONS, AWARDS, SPECIAL RESOLUTIONS, APPOINTMENTS TO BOARDS AND COMMISSIONS

PROCLAMATION – National Alcohol and Drug Addiction Recovery Month – September 2008

Mr. Duke read the above Proclamation. Mayor Patterson stated this Proclamation will be mailed to the U.S. Department of Health & Human Services – Substance Abuse and Mental Health Services Administration to show City support for this program.

PRESENTATION – Miami Valley Communications Council Update

Mr. Tom Ireland, Interim Executive Director for Miami Valley Communications Council gave a presentation updating Council about their services and projects they are currently working on. Mr. Ireland stated they enjoy working with the City of Kettering.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

AN ORDINANCE
NO. 4108-08
BY: MR. DUKE AND MRS. LEHNER

TO AMEND SECTION 1151 AND OTHER SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF KETTERING SO AS TO ESTABLISH CARE FACILITIES AS A CONDITIONAL USE IN CERTAIN ZONING DISTRICTS WITHIN THE CITY.

Mr. Duke read the above ordinance and moved for approval. Mrs. Lehner seconded the motion.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Lehner, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mr. Thompson, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

RESOLUTIONS

A RESOLUTION
NO: 8495-08
BY: MRS. LEHNER AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO ACCEPT A \$20,000.00 GRANT FROM THE KETTERING PARKS FOUNDATION TO RENOVATE THE CITY'S PLAYGROUND FOR ALL

Mrs. Lehner read the above resolution and moved for approval. Mr. Spolrich seconded the motion.

Mr. Schwieterman explained AMBUCS and Kettering Parks Foundation worked together on a Community Foundation of Kettering Grant with the purpose of helping to provide the funds necessary for the renovation of the project. This playground is designed to be accessible to children of all abilities and is in need of upgrading.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Lehner, Yea; Mr. Spolrich, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 8496-08
BY: MR. SPOLRICH AND MR. THOMPSON

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE AGREEMENTS WITH THE KETTERING CITY SCHOOL DISTRICT FOR THE AFTER SCHOOL ENRICHMENT PROGRAM AND YOUTH LIAISON COUNSELING SERVICES.

Mr. Spolrich read the above resolution and moved for approval. Mr. Thompson seconded the motion.

Mr. Schwieterman explained the City applied for and received approval for funding from the Montgomery County, Ohio Department of Job and Family Services to assist in the development and operation of the Kettering City School After School Enrichment Program and to provide certain services to eligible youth and their families.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Lehner, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mr. Thompson, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 8497-08
BY: MR. THOMPSON AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ACCEPT A \$760.00 GRANT FROM THE KETTERING PARKS FOUNDATION TO PURCHASE COMPUTER EQUIPMENT FOR THE LATHREM CENTER LIBRARY

Mr. Thompson read the above resolution and moved for approval. Mr. Klepacz seconded the motion.

Mr. Schwieterman explained the Lathrem Center uses computers in its library to provide computer training as well as income tax preparation for senior and low-income families. The funds will be used to purchase new monitors and a flash drive.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Lehner, Yea; Mr. Spolrich, Yea; Mayor Patterson, Yea There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 8498-08
BY: MR. KLEPACZ AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO EXPEND ADDITIONAL FUNDS FOR ENTERTAINMENT AT THE FRAZE PAVILION

Mr. Klepacz read the above resolution and moved for approval. Mr. Wanamaker seconded the motion.

Mr. Schwieterman explained due to additional concerts on the 2008 season, an additional increase in artist fees is necessary. Ticket sale revenues offset additional artist fee increase.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Lehner, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mr. Thompson, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 8499-08
BY: MR. WANAMAKER AND MR. DUKE

ACCEPTING THE RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING SAME TO THE MONTGOMERY COUNTY AND GREENE COUNTY AUDITORS

Mr. Wanamaker read the above resolution and moved for approval. Mr. Duke seconded the motion.

Mr. Schwieterman explained this is the annual legislation accepting the City's property tax rates. It is required by Montgomery County and the Ohio Revised Code each year. This does not represent any new or increase in taxes.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Lehner, Yea; Mr. Spolrich, Yea; Mayor Patterson, Yea There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 8500-08
BY: MR. DUKE AND MRS. LEHNER

AUTHORIZING THE CITY MANAGER TO PURCHASE APPROXIMATELY 4,000 TONS OF ROAD SALT THROUGH AND APPROVED STATE OR LOCAL COOPERATIVE PURCHASING PROGRAM.

Mr. Duke read the above resolution and moved for approval. Mrs. Lehner seconded the motion.

Mr. Tom Glardon, Public Service Director explained this will allow the City Manager to enter into a contract for the purchase of road salt under a state or local cooperative purchasing program.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Lehner, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mr. Thompson, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 8501-08
BY: MRS. LEHNER AND MR. SPOLRICH

TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF KETTERING, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2008.

Mrs. Lehner read the above resolution and moved for approval. Mr. Spolrich seconded the motion.

Mr. Schwieterman explained this will allow for appropriation of monies for the Law Department and Streets Department.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Lehner, Yea; Mr. Spolrich, Yea; Mayor Patterson, Yea There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

ORDINANCES IN FIRST READING

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

Mr. Schwieterman, City Manager reported:

Mr. Schwieterman updated Council on community information and events.

- MaryBeth Thaman reminded citizens about the Public Meeting for the review of the Pondview Park Project on Wednesday, September 10, 2008 from 6:00 – 7:30 p.m. at Polen Farm. She introduced their new intern Lisa Wert.
- AMBUCS Chili Cook-off – Friday, September 12, 2008 from 6:00 – 11:00 p.m. at Polen Farm.
- RTA is rerouting buses away from Glengarry Drive beginning October 5, 2008.
- Tom Robillard gave the August Property Maintenance Update.
- Steve Bergstresser reported that the Eureka Drive Reconstruction Program has begun and will be completed by the end of this year. The Haig Avenue Reconstruction Project was recently completed.
- Boy Scout Troop 320 is completing their Eagle Scout Project called “No Dumping, Drain Directly to Stream.” This message will be placed on storm drains between Bigger Road and Wright Brother Parkway on September 6, 2008.
- Absentee Ballots and Voters Registration forms for the November 4th ballot are available at the front desk at the Government Center.

Mr. Schwieterman urged citizens to attend these events and enjoy our community.

OTHER BUSINESS NOT ON WRITTEN AGENDACommunications and ReportsAudience Participation (5 Minute Limit Per Speaker)COUNCIL COMMITTEE REPORTS

Mayor Patterson welcomed students from Alter High School Class who were in the audience.

Mr. Thompson – No Report.

Mr. Klepacz – He thanked Joe Wanamaker and AMBUCS for all the hard work they do for the Chili Cook-off event. He hopes it is well attended. The Annual Day of Thanks for First Responders is on September 11, 2008 at the American Legion Hall. The Taste of Kettering that was held last week was well attended. It was a great crowd and a great evening. The Board of Community Relations is taking a field trip tomorrow to Kennedy Union.

Mr. Wanamaker – Commended the Boy Scouts Troops on their Eagle Scout Project. Twenty-Five restaurants will be at the AMBUCS Chili Cook-off with their chili. This event is for a really good cause. The cost is \$15.00 in advance and \$20.00 at the event.

Mr. Duke – He attended the Holiday at Home activities. Staff does a great job to make this event special. Olympic Medalist Hyleas Fountain was in the parade. As she went by the crowd everyone waived their flags and cheered. It was nice to see. The Kettering Leadership Academy opened their 2009 class with a retreat. It is a full class and off to a great start.

Mrs. Lehner – She is attending a conference tomorrow hosted by the Governor on restoring prosperity to our communities.

Mr. Spolrich - Urged citizens to register to vote. It is an opportunity to vote for those running for national and state offices. On August 27, 2008 he attended the retirement celebration for Lieutenant Tom Walker. It was a very nice send off. During the celebration there were two fire calls. Everyone just got up and went to work. He thanked all of our firefighter for doing their job to protect Kettering's citizens.

Mayor Patterson – Reported that past Mayor Gerry Busch gave him an obituary of a gentleman that recently passed away. This gentleman, Roman Sxpur, 91, was an inventor and designed the lighting system for the Government Center when it was built. The Government Center is still using the same lighting system today. On August 28, 2008 he attended the welcome home ceremony for Hyleas Fountain at Home Depot. She was in the Holiday at Home Parade. He congratulated Police Officer of the Year, Sergeant Mike Gabrielson. On August 30, 2008 he attended the Volunteer Firefighter Recruitment event at Town and Country Shopping Center. Also, on August 30, 2008 he attended the opening ceremony at AlterFest. He attended the Holiday at Home festivities. Carrie Kihn did a wonderful job this year on the Holiday at Home Ball. On September 4, 2008 he attended the Taste of Kettering put on by the Kettering, Moraine, Oakwood Chamber of Commerce. It was a successful, well-attended event. He attended the retirement celebration for Fire Dispatcher Harold McWilliams on September 3, 2008. He wished him well. It was another great year at the Fraise. Kudos to Karen Durham and her staff. It was a wonderful summer with something for everyone.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 8:37 p.m.

ATTEST:

DONALD E. PATTERSON, MAYOR

Connie S. Gaw
Clerk of Council